

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

ADAM COGHILL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.: 3:21-cv-00119
	)	
CLOUDZ VAPOR LLC,	)	
dba CLOUDZ VAPOR,	)	
	)	
CLOUDZ VAPOR WHOLESALE, LLC,	)	
dba CLOUDZ VAPOR,	)	
	)	
CLOUDZ VAPOR MIDLOTHIAN, LLC,	)	
dba CLOUDZ VAPOR,	)	
	)	
CLOUDZ VAPOR SHORT PUMP, LLC,	)	
dba CLOUDZ VAPOR, and	)	
	)	
TEJAN BHATT,	)	
	)	
Defendants.	)	

**DEFENDANTS 12(b)(6) MOTION TO DISMISS**

COME NOW, defendants, Cloudz Vapor, LLC, Cloudz Vapor Wholesale, LLC, Cloudz Vapor Midlothian, LLC, Cloudz Vapor Short Pump, LLC (collectively, the “LLCs”), by counsel, pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby file their Motion to Dismiss Counts I, III and IV of the Complaint filed by the plaintiff, Adam Coghill (“Coghill” or “Plaintiff”).

Summarily, Counts I, III and IV of the Complaint each fail to state a claim against the LLCs upon which relief may be granted. The factual predicate and legal justification for dismissal of Counts, I, III and IV of the Complaint are more fully set forth in the LLCs’ memorandum of law in support of the Motion, filed contemporaneously herewith and incorporated herein by reference.

WHEREFORE the defendants, Cloudz Vapor, LLC, Cloudz Vapor Wholesale, LLC, Cloudz Vapor Midlothian, LLC, Cloudz Vapor Short Pump, LLC, respectfully requests that the Court dismiss Counts I, III and IV of Plaintiff's complaint with prejudice and award it the costs incurred in defense of this action and any additional relief the Court deems just and appropriate.

CLOUDZ VAPOR, LLC  
CLOUDZ VAPOR WHOLESALE, LLC  
CLOUDZ VAPOR MIDLOATHIAN  
CLOUDZ VAPOR SHORT PUMP

/s/ *Mark C. Nanavati*

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that, on the 1<sup>st</sup> day of March, 2021, a true and accurate copy of the foregoing motion to dismiss was filed with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

/s/ *Mark C. Nanavati*

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